

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Markem-Imaje Corporation

v.

Case No. 19-cv-112-PB

Zipher Ltd

ORDER

Re: Document No. 66, Motion for Reconsideration

Ruling:

The motion to reconsider (document number 66) is based on the mistaken premise that the ruling in question was based on a finding of misconduct by Zipher. It was not. Instead, I determined that Markem was not seeking a declaratory judgment that the X40 printer did not infringe Zipher's patents, and it would unreasonably delay the resolution of the case if I allowed the printer in question to be used in an attempt to defeat Markem's request for a declaratory judgment. This ruling does not bar Zipher from claiming in a separate lawsuit that the X40 printer infringes Zipher's patents. Motion denied.

Date: November 14, 2011

/s/ Paul Barbadoro

Paul Barbadoro

US District Judge

cc: Counsel of Record